IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

and
HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO : 23749 of 2000

Between:

Sri.E.Giri Yadav S/o.Late E.Ramaiah
R/o.Plot No.185 Road No.15 Jubille Hills
Hyderabad

..... PETITIONER

AND

1 Collector,
West Godavari at Eluru.
2 Sub-Collector,
West Godavari, Eluru.
3 M.R.O.,
T.Narasapuram, West Godavari

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the

circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of MANDAMUS or any other appropriate Writ order or direction declaring the Caste Certificates (S.T) are given by the Mandal Revenue Officer's concern without any authority as illegal , void and unlawful when there is specific notification by the by the Central Government in D.O.No.12016/1/98 SCD (R.Cell) dated 6-7-1998 that Nayakapodu (S.T) is ST throughout the State of Andhra Pradesh and to pass such other order or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.B.HANUMANTHA RAO

(Not present)

Counsel for the Respondents: GP FOR SOCIAL WELFARE.

The Court made the following :

ORAL ORDER:

(Per Hon'ble The Chief Justice)

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1. Writ petition was filed as public interest litigation complaining that Mandal Revenue Officers are issuing caste certificate without any authority more particularly when Central Government notification is in existence saying that Nayakapodu (ST) is S.T., throughout Andhra Pradesh.

2. Respondents have controverted the stand taken by the petitioner in this petition filed for a general relief. It is stated that caste certificates are issued by the competent authority after investigation and on merits. Applicant has to submit an application in Proforma I/II prescribed by the Government. Competent authority thereafter makes an enquiry and on being satisfied, caste certificate will be issued. Only in the event of any complaint, matter will be enquired into and appropriate orders will be passed and aggrieved person is entitled to challenge the matter in appeal under the provisions of A.P. (SC,

ST & BCs) Regulation of Issue of Community Certificates Act, 1993.

3. There is no representation before us when the writ petition is taken up. In that view, no direction deserves to be issued in this petition. Writ petition is accordingly stands disposed of. No costs.

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DEVINDER GUPTA. C.J.,

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C.V. RAMULU. J.,

Dated: 09.08.2004.

VRK.

To

1 Collector,
West Godavari at Eluru.
2 Sub-Collector,
West Godavari, Eluru.
3 M.R.O.,
T.Narasapuram, West Godavari

4. Two CCs to G.P. for Social Welfare, High Court Buildings, Hyderabad (OUT).

5. The Officer concerned, Public Interest Litigation Cell, High Court Buildings, Hyderabad.

6. Two CD copies.

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE C.V. RAMULU.

W.P.NO. 23749 OF 2000

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(Order of the Bench delivered by

Hon'ble The Chief Justice)

Dt: 09.08.2004.